

STATE OF NEBRASKA
DEPARTMENT OF NATURAL RESOURCES
APPROVAL OF PLAN NUMBER 20683

BACKGROUND

1. On March 8, 2021, Jack Russell on behalf of the Middle Republican Natural Resources District filed in the Department of Natural Resources (Department) an Application for Approval of Plans for Dams, plan P-20683, and associated specifications.
2. The plan, P-20683, is for the reconstruction of the Blackwood P-2 Dam, which is subject to the *Safety of Dams and Reservoirs Act*. The dam will be located in the SW $\frac{1}{4}$ of Section 06, Township 03 North, Range 30 West of the 6th P.M. in Red Willow County.
3. Records on file in the Department show that surface water appropriation A-16164 is held by the Middle Republican Natural Resources District and authorizes the storage of 57.9 acre-feet of water in the Blackwood P-2 Reservoir.
4. Allen L. Gehring, P.E. of the United States Department of Agriculture, Natural Resource Conservation Service, 100 Centennial Mall North, Room 152 Lincoln, Nebraska 68508 prepared the plan.
5. The Middle Republican Natural Resources District, 220 Center Avenue, Curtis, Nebraska 69025, will own the dam.
6. The plans and specifications were examined by a registered professional engineer of the Department and were found to be consistent with current standards.
7. Following consultation with the Nebraska Game and Parks Commission, the Department finds the project will have "No Effect" on any state listed threatened or endangered species or their critical habitat.

ORDER

IT IS HEREBY ORDERED the Application for Approval of Plans for Dams, plan P-20683 and associated specifications are APPROVED subject to the following limitations and conditions:

1. This approval will remain in effect for purposes of construction until November 1, 2023.
2. The owner of a dam shall provide written notice to the Department at least ten days before construction of the dam is to begin. Notices must be in writing and addressed to the Chief Engineer of the Department's Dam Safety Section. Notices may be delivered to the Department by mail, facsimile, or electronic mail.
3. The dam owner must comply with all relevant statutes. This includes, but is not limited to, the following:

- A. Notify the Department of any change in ownership or address.
 - B. Receive written approval prior to taking any action that changes the storage capacity of the reservoir, the specifications, or plan P-20683.
 - C. Construct, operate and maintain the structure in accordance with Neb. Rev. Stat. § 46-241 and the *Safety of Dams and Reservoirs Act*, §§ 46-1601 to 46-1670.
 - D. Assume liability for all damages due to leakage, overflow or structural failure of the dam.
4. All terms and conditions of appropriation A-16164 remain in effect.
5. Upon completion of the construction, the owner shall file with the Department the enclosed "Construction Certification Form for Dams". Following receipt of this form, an approval to operate will be issued by the Department if it determines that the dam is safe to impound within the limitations outlined in this approval.

ADDITIONAL INFORMATION

Failure to comply with all laws and regulations pertaining to any orders issued by the Director of the Department of Natural Resources may result in administrative penalty, criminal prosecution, or any combination thereof.

DEPARTMENT OF NATURAL RESOURCES



June 30, 2021

Thomas E. Riley, P.E., Director

A copy of this approval was posted on the Department's website. Copies of this approval, plan P-20683, and a "Construction Certification Form for Dams" were mailed on June 30, 2021, to Jack Russell, Middle Republican Natural Resources District, 220 Center Avenue, Curtis, Nebraska 69025. Copies of this approval and a "Construction Certification Form for Dams" were mailed to Allen L. Gehring, P.E., United States Department of Agriculture, Natural Resource Conservation Service, 100 Centennial Mall North, Room 152 Lincoln, Nebraska 68508. Copies of this approval and plan P-20683 were provided to the Department of Natural Resources' field office in Cambridge, Nebraska.